

MAR 09 2011

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSE GUADALUPE CHAVEZ-LIMAS,  
aka Jose "Pato" Chavez,

Defendant - Appellant.

No. 10-10182

D.C. No. 4:09-cr-00755-DCB

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
David C. Bury, District Judge, Presiding

Submitted February 15, 2011\*\*

Before: CANBY, FERNANDEZ, and M. SMITH, Circuit Judges.

Jose Guadalupe Chavez-Limas appeals from the 46-month sentence imposed following his conviction for re-entry after deportation, in violation of 8 U.S.C. § 1326. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

---

\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Chavez-Limas contends that his sentence is substantively unreasonable because the district court failed to consider the age of his prior conviction under *United States v. Amezcua-Vasquez*, 567 F.3d 1050 (9th Cir. 2009). In light of the totality of the circumstances and the 18 U.S.C. § 3553(a) sentencing factors, the sentence is substantively reasonable. *See United States v. Valencia-Barragan*, 608 F.3d 1103, 1108-09 (9th Cir. 2010) (emphasizing the limited scope of *Amezcua-Vasquez*).

**AFFIRMED.**